

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MORRIS JOHNSON,
#149768,

Petitioner,

Case No. 1:10CV537

v.

Hon. Robert J. Jonker

CAROL HOWES,

Respondent.

ORDER
APPROVING REPORT AND RECOMMENDATION
AND DENYING CERTIFICATE OF APPEALABILITY

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on July 20, 2012. An extension of time was granted for the objection period to September 14, 2012. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C). After service of the Report and Recommendation, Petitioner did move to dismiss his petition without prejudice. The Court denied that request. Petitioner has still not filed any objections to the Report and Recommendation itself.

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed and served July 20, 2012, is approved and adopted as the opinion of the court.

IT IS ORDERED that the petition for writ of habeas corpus is **DENIED**.

IT IS FURTHER ORDERED that certificate of appealability is **DENIED**.

Dated: October 18, 2012

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE